

### **REMARKS**

This submission is in response to the Official Action dated September 11, 2006.

At the outset and before addressing the rejections raised in the Official Action, the Applicants have amended independent claims 9, 15, 20, 26 and 30 as recited herein with allowable subject matter of claim 12. Applicants have also provided editorial amendments in these and other claims as recited herein. New claims 39-41 have been added, with new claim 39 incorporating allowable claim 27 into base claim 26. No new subject matter was entered.

Claims 9, 11, 15-16, 18, 20-21, 26-27 and 30 are amended. Claims 1-8, 10, 12 and 33-38 are cancelled. Claims 39-41 are added. Consequently, claims 9, 11, 13-32 and 39-41 are now pending in this application.

#### **§ 101 Rejection of Claims 1-8 and 33-38**

Claims 1-8 and 33-38 were rejected pursuant to 35 U.S.C. § 101(a), as allegedly non-statutory subject matter. The Applicants have cancelled claims 1-8 and 33-38 without prejudice or disclaimer to the Applicants. The Applicants do not acquiesce to the Examiner's allegations about the claims 1-8 and 33-38, and reserve the right to reintroduce the cancelled claims into the application and argue the Examiner's allegations at a future date.

Consequently, the Applicants respectfully request the Examiner to withdraw the rejection of claims 1-8 and 33-38 pursuant to 35 U.S.C. § 101.

#### **§ 102(e) Rejection of Claim 1-38**

Claims 1-38 was rejected pursuant to 35 U.S.C. § 102(e), as anticipated by Thompson *et al.* (U.S. Pub. No. 2003/0237080) (hereinafter "Thompson").

As stated above, the Applicants have amended independent 9, 15, 20, 26 and 30 as recited herein with allowable subject matter of claim 12. Independent claims 9, 15, 20, 26 and 30 are therefore allowable.

Consequently, the Applicants respectfully request the Examiner to withdraw the rejection of independent claims 9, 15, 20, 26 and 30 pursuant to 25 U.S.C. § 102(e). The Applicants further respectfully request the Examiner to withdraw the rejection of dependent claims 9, 11,

13-14, 16-19, 21-25, 27-29 and 31-32 based on their respective dependencies from the now allowable independent claims 9, 15, 20, 26 and 30.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (516-203-7270) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

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